

## **REMARKS**

The above Amendments and these Remarks are in reply to the Office Action mailed January 26, 2006. Claims 1, 4-9, 11, 13, 14, 17, 20-25, 27-32, 34 and 35 were pending in the Application prior to the outstanding Office Action. No claims are currently being amended, canceled or added. Accordingly, claims 1, 4-9, 11, 13, 14, 17, 20-25, 27-32, 34 and 35 remain for the Examiner's consideration, with claims 1, 8, 11, 14, 17, 24, 27, 29, 30 and 31 being independent. Reconsideration and withdrawal of the rejections are respectfully requested.

### **I. CLAIM REJECTIONS UNDER 35 U.S.C. § 103**

Claims 1, 4, 5, 8, 9, 14, 17, 20, 21, 24, 25, 29-33, 34 and 35 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wydra (U.S. Patent No. 6,598,067), in view of Rutten et al. (U.S. Patent No. 6,632,251).

Claims 6, 7, 11, 13, 22, 23, 27 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wydra and Rutten, further in view of Austin (U.S. Patent No. 5,781,711).

### **II. Brief Description of the Invention of Claim 1**

The embodiment of the present invention claimed in claim 1, is directed to a method for "preparing a job for execution by a batch job execution system". That is, this embodiment of the present invention is directed to preparing a job for execution by a batch job system, **not** to a method of performing batch job execution of a job.

As explained in claim 1, a job is received from an external source, wherein the job includes a plurality of tasks. Subsequent to receiving the job, a program is selected which includes a first part and a second part, which may be used in executing the job. Then, a batch job is prepared by associating the selected program with the job. Finally, the batch job is transmitted toward the batch job execution system (so that batch job execution system can then execute the batch job).

Claim 1 also explains that first part of the program includes a plurality of steps, wherein each step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job.

Additionally, claim 1 explains that the second part of the program is for executing at least a portion of one of the tasks of the batch job; and, is further capable of generating additional steps to be executed by the batch job execution system in order to complete the task being executed, wherein each additional step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job.

### **III. Brief Description of Wydra**

Wydra is directed to an Application Server Framework (ASF) that “accommodates on-demand and batch processing, [and] is capable of scheduling and queuing, and can perform load balancing functions” (see column 4, lines 51-55). “The ASF ... includes a listener 32, a connection controller (which is also referred to as a connection manager) 34, a schedule controller (or job scheduler) 36, each provided on and executed by the application server 24” (see column 5, lines 16-20). The ASF receives, from clients, requests for services to be performed (see column 5, lines 54-55). Through use of the listener 32, connection controller 34 and schedule controller 36, it appears that the ASF can perform batch job processing.

### **IV. Brief Description of Rutten**

Rutten is directed to a document support system that can be used for creating, maintaining and publishing documents (see column 3, lines 49-51). Rutten explains that processes can be subdivided into activities (each related to a role), which can be subdivided into tasks (see column 3, lines 45-58; and column 4, lines 14-15).

### **V. Brief Discussion of Differences between Wydra and the Invention of Claim 1**

The invention of claim 1 is **not** directed to performing batch job processing. Rather, as explained above, the invention of claim 1 prepares a job for execution by a batch job execution system. The invention of claim 1 prepares the job by, subsequent to receiving the job, selecting a program which includes a first part and a second part, which may be used in executing the job; then, preparing a batch job by associating the selected

program with the job; and then transmitted the batch job toward the batch job execution system (so that the batch job execution system can then execute the batch job.

Wydra appears to teach a batch job type execution system that can perform batch job processing. However, Wydra does not teach or suggest how to prepare a job for execution by a batch job execution system.

## **VI. Discussion of Claims**

### **A. Claim 1, 4-7 and 34**

Wydra does **not** perform at least the following steps of claim 1 “selecting a program, subsequent to receiving the job, which includes a first part and a second part, which may be used in executing the job; preparing a batch job by associating the selected program with the job; and, transmitting the batch job toward the batch job execution system”.

More specifically, Wydra does not teach or suggest selecting a program that may be used in executing a received job, and then “preparing a batch job by associating the selected program with the job”, as is required by claim 1. It was alleged that column 11, lines 23-33 and column 5, lines 54-67 of Wydra teach these steps of claim 1. However, column 11, lines 23-33 merely state that the ASF can create services by inheriting services from service objects. Further, column 5, lines 54-67 of Wydra (and subsequent portions of Wydra) merely states that in response to a client requesting that a service be performed, the ASF can take care of scheduling and connection control so that the requested service is executed.

Further, Wydra does not teach or suggest “transmitting the batch job (prepared by associating the selected program with the job) toward the batch job execution system”, as required by claim 1. As explained above, Wydra is directed to executing a batch job, not preparing a batch job and then transmitting it toward a batch job execution system. It was alleged that column 5, lines 54-67 of Wydra teaches this step. However, this portion of Wydra merely teaches that the service broker 30 of the ASF transmits a service request (received from a client 22) to a listener 32 of the ASF if the service broker 30 determines that the application server coupled to the client 22 can execute the requested service. Wydra’s transmitting a service request is not the same as transmitting a batch job

(prepared by associating the selected program with the job) toward the batch job execution system, as required by claim 1. First of all, the service request of Wydra is not a batch job that is specifically prepared by selecting a program, subsequent to receiving a job, and then associating the program with the job to prepare the batch job. Rather, the service request of Wydra is merely a request received from a client. Even if the request of Wydra was a request to have a batch job executed, such a request of Wydra would not be prepared in the manner specifically required by claim 1.

Further, Wydra's transmission of a service request from the service broker of the ASF to the listener of the ASF is not a transmission of a batch job toward a batch job execution system. Rather, Wydra's transmission of a service request from the service broker of the ASF to the listener of the ASF is merely the transfer of a request (which is not a batch job specifically prepared as claimed in claim 1) from one portion of an execution system to another portion of the same execution system.

In summary, Wydra at best relates to executing a batch job, **not** preparing a batch job for execution by a batch job execution system. For at least the reasons set forth above, Applicants assert that Wydra does not teach or suggest "selecting a program, subsequent to receiving the job, which includes a first part and a second part, which may be used in executing the job; preparing a batch job by associating the selected program with the job; and, transmitting the batch job toward the batch job execution system"

As explained above, in the invention of claim 1, subsequent to receiving the job, the program that is selected includes a first part and a second part, which may be used in executing the job; and a batch job is prepared by associating the selected program with the job. The "first part of the program includes a plurality of steps, wherein each step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job". The "second part of the program is for executing at least a portion of one of the tasks of the batch job; and, is further capable of generating additional steps to be executed by the batch job execution system in order to complete the task being executed, wherein each additional step identifies a service which is offered by the batch job execution system which can be used in executing at least a portion of one of the tasks of the batch job." In the Office Action,

it was admitted that Wydra does not teach “a job including a plurality of tasks”, and thus, Rutten was introduced to allegedly teach the deficiencies of Wydra.

As mentioned above, Rutten is directed to a document support system that can be used for creating, maintaining and publishing documents. Rutten explains that processes can be subdivided into activities (each related to a role), which can be subdivided into tasks. However, Rutten does not teach or suggest that such sub-dividable processes are a part of a program that is **selected** and then associated with a job to thereby create a batch job that is transmitted toward a batch job execution system. Rather, Rutten is merely saying that a process for creating a document can be separated into sub-processes such as intake, collect information, edit, etc. (see column 3, lines 52-59). Further, Rutten does not teach or suggest the other above mentioned deficiencies of Wydra.

For at least the reasons discussed above, Applicants respectfully request that the 103(a) rejection of claim 1 be reconsidered and withdrawn.

Applicants also believe that claims 4-7, which depend from claim 1, are patentable for at least the reasons discussed above, as well as for the additional features that they add.

#### **B. Claims 8 and 9**

For similar reasons to those discussed above with regards to claim 1, and its dependent claims, Applicants believe that claim 8, and its dependent claim 9, are also patentable.

#### **C. Claims 11 and 13**

The steps of claim 11, which are performed by the service provider, describe a method in which the service provider can utilize a remote platform to convert information.

Claim 11 requires that "the step of making a call to start a session [with a remote platform, in response to receiving a task of a batch job] further comprises **creating a unique address** which identifies the session; and the step of making a call to end the session [with the remote platform] **terminates the unique address.**" (emphasis added)

In the rejection of claim 11, it was alleged in the Office Action that Austin teaches these features at column 11, lines 3-22; and column 8, line 62 - column 9, line 2. Applicants respectfully disagree.

Column 11, lines 3-22 of Austin merely explains that a bus gateway device provides an interface between a host bus and a video bus by translating virtual addresses to real addresses. Converting virtual addresses to real addresses is a well known memory mapping technique that has nothing to do with starting and ending sessions with a remote platform, as is required by claim 11.

Column 8, line 62 - column 9, line 2 of Austin merely says that the beginning and end addresses of a packet are used by a transfer unit when implementing a transfer; and that when a transfer is complete a signal which includes packet size and address designations are transmitted via a signal to a system controller. Transmitting an address designation to a system controller has nothing to do with terminating a unique address to end a session.

For at least the reasons discussed above, Applicants respectfully request that the 103(a) rejection of claim 11, and its dependent claim 13, be reconsidered and withdrawn.

#### **D. Claim 14**

Claim 14 is directed to a method for preparing and executing a task of a batch job by a batch job execution system, where the batch job execution system includes a job management apparatus and a plurality of service providers that can communicate with the job management apparatus.

As claimed, a first service provider, after receiving a task from the job management apparatus, creates a plurality of steps which must be executed by a plurality of other service providers in order to complete the task. The first service provider then transmits the plurality of steps toward the job management apparatus, so that the job management apparatus can distribute the plurality of steps to the plurality of other service providers that will execute the plurality of steps. After the plurality of service providers execute the plurality of steps (and send the results back to the job management apparatus), the first service provider receives the plurality of results from the job

management apparatus, and the first service provider prepares an output that includes the plurality of results.

In summary, claim 14 explains that when a first service provider receives a task from a job management apparatus, the first service provider creates a plurality of steps to be executed by other service providers, rather than completing the task on its own. The first service provider transmits these steps back to the job management apparatus, so that the job management apparatus can distribute the steps to other service providers that will execute the plurality of steps. The first service provider will then receive the results from the job management apparatus and will display the results.

In the Office Action, it was asserted that column 3, lines 45-67 of Rutten, and column 7, lines 50-64 of Wydra, teach that a first service provider, after receiving a task from the job management apparatus, creates a plurality of steps which must be executed by a plurality of other service providers in order to complete the task. (See Office Action, top of page 7). Applicants respectfully disagree, as explained below.

While Rutten may teach that tasks can be separated into subtasks, Rutten does not teach or suggest that a service provider of a batch job execution system can in response to receiving a task from a job management apparatus, create a plurality of steps that must be executed by other service providers in order to complete the task, and then transmit the plurality of steps back toward the job management apparatus so the steps can be distributed to other service providers. Additionally, Wydra does not teach the deficiencies of Rutten.

It was alleged in the Office Action that Wydra's use of a service broker 30 to transmit service requests to a listener 32 (at column 5, lines 54-67) teaches transmitting a plurality of steps back toward a job management apparatus so the steps can be distributed to other service providers. However, Wydra is not transmitting steps (or even a single step) created by a service provider, from the service provider back to a job management apparatus, so that the job management apparatus can then distribute the steps to other service providers that can execute the steps in order to complete a task. What Wydra is doing at column 5, lines 54-67 is merely moving a single request (which can be considered a single step), from a broker portion to a listener portion within an Application Server Framework (ASF).

For at least the reasons discussed above, Applicants respectfully request that the 103(a) rejection of claim 14 be reconsidered and withdrawn.

**E. Claims 17, 20-23 and 35**

Applicants believe that claim 17 as amended, and its dependent claims 20-23 and 35 are patentable over the applied references for reasons similar to those discussed above with reference to claim 1 and its dependent claims.

**F. Claims 24 and 25**

Applicants believe that claim 24 as amended, and its dependent claim 25, are patentable over Wydra for reasons similar to those discussed above with reference to claim 8 and its dependent claims.

**G. Claims 27-28**

Applicants believe that claim 27 as amended, and its dependent claims 28, are patentable over the applied references for reasons similar to those discussed above with reference to claim 11 and its dependent claims.

**H. Claim 29**

Applicants believe that claim 29 is patentable over applied references for reasons similar to those discussed above with reference to claim 14.

**I. Claim 30**

Applicants believe that claim 30 as amended is patentable over the applied references for reasons similar to those discussed above with reference to claim 17.

**J. Claim 31**

Applicants believe that claim 31 as amended is patentable over applied references for reasons similar to those discussed above with reference to claim 8.



## VII. Conclusion

In light of the above, it is respectfully requested that all outstanding rejections and objections be reconsidered and withdrawn. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

A check is enclosed to cover the required fees. The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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